

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 3:11-CR-152-L
	§	
JASON ALLEN NEFF (1)	§	
JEFFREY LYNN DANIELS (2)	§	

ORDER DECLARING CASE COMPLEX AND CONTINUING TRIAL

Before the court is Government's Motion to Have Case Declared Complex and for a Continuance of the Trial Date, filed June 20, 2011. Counsel for Defendants Neff and Daniels are not opposed. Upon consideration of the motion and the applicable law, and in accordance with the findings set forth below, the court determines that the motion should be and is hereby **granted**.

The court finds, pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii), that because the overall investigation involves unusual and complex issues and technically complex evidence, and the potential need for a variety of experts in and of itself speaks to the complexity of the matter. It is unreasonable therefore to expect adequate preparation for pretrial proceedings and for the trial itself within the time limits established by the Speedy Trial Act. Thus, the court agrees with the government and the defense that the case is a "complex case" and should be taken out of the ordinary strictures of the Speedy Trial Act.

The court further finds that the following factors justify a continuance in this case:

- (1) The case is unusual and complex, and involves novel issues of law and technically complex facts;
- (2) the continuance is necessary to permit counsel to review the voluminous discovery material and to adequately prepare for trial;
- (3) the professional and personal obligations of counsel for both the government and for the defense, as outlined the motion, which given the exercise of due diligence nevertheless prevent the parties from being prepared for trial on the existing trial date.

Accordingly, the court finds that the failure to grant the requested continuance would deny counsel adequate time to prepare for trial and would possibly result in a miscarriage of justice. The court declares this case “complex” within the meaning of 18 U.S.C. § 3161(h)(8)(B)(ii), and finds that the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and the Defendants in a speedy trial.

Accordingly, the current trial setting of August 8, 2011, is hereby **vacated**, and this case is **reset** for trial on **January 17, 2012, at 9:00 a.m.**

The following revised scheduling order is issued for Defendants Jason Allen Neff and Jeffrey Lynn Daniels:

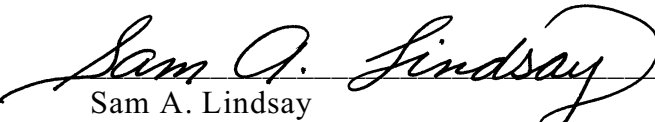
**Motion Deadline:** November 4, 2011, at 4:00 p.m.

**Motion Response Deadline:** November 18, 2011, at 4:00 p.m.

**Trial Setting:** January 17, 2012, at 9:00 a.m.

All other portions of the court's original Criminal Trial Scheduling Order remain in effect.

**It is so ordered** this 23rd day of June, 2011.

  
Sam A. Lindsay  
United States District Judge